

AMENDED IN SENATE AUGUST 23, 2006  
AMENDED IN SENATE JUNE 19, 2006  
AMENDED IN SENATE MAY 30, 2006  
AMENDED IN ASSEMBLY JANUARY 4, 2006  
AMENDED IN ASSEMBLY APRIL 19, 2005  
CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 53**

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**Introduced by Assembly Member Negrete McLeod**

December 6, 2004

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An act to amend Section 11011.21 of the Government Code, and to amend Section 12 of Chapter 1087 of the Statutes of 1985, and to amend Section 10 of Chapter 974 of the Statutes of 2002, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 53, as amended, Negrete McLeod. Surplus state property.

(1) Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature. The director is authorized to sell, lease, exchange, or transfer specified parcels in this regard for fair market value or current market value, subject to specified conditions. The net proceeds of any moneys received from the disposition of specified parcels are required to be deposited in the General Fund.

This bill would authorize the director to sell, lease, exchange, or transfer specified parcels for fair market value rather than current market value, and would authorize the sale, lease, exchange, or transfer of additional parcels, subject to specified conditions. The bill would require the director, if certain property is disposed of by a means other than being sold, exchanged, or leased for fair market value, to report specified information to the chairs of the legislative fiscal committees 30 days prior to completing a transaction regarding these parcels.

The bill would also delete and revise provisions relating to specified authorizations to sell, exchange, lease, or transfer state surplus property.

~~The bill would exempt the sale, exchange, lease, or transfer of specified parcels from specified provisions of the California Environmental Quality Act.~~

The bill would delete the requirement that the net proceeds of any moneys received from the disposition of specified parcels be deposited in the General Fund, and instead would require that the net proceeds of money received from the sale of property sold pursuant to specified provisions of the bill be deposited into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, which is continuously appropriated, thereby making an appropriation.

*The bill would require the Department of General Services, before completing any transfer, to identify the funds that were used to purchase the property when the state acquired it and the manner in which the proceeds are to be disbursed among the state's funds.*

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 11011.21 of the Government Code is
- 2 amended to read:
- 3 11011.21. (a) The Legislature finds and declares that the
- 4 Department of General Services has, pursuant to former Section
- 5 11011.21, as added by Section 8 of Chapter 150 of the Statutes of
- 6 1994, and amended by Section 15 of Chapter 422 of the Statutes
- 7 of 1994, developed an inventory, known as the Surplus Property

1 Inventory, of state-owned properties that are either surplus to the  
2 needs of the state in their entirety or are being used for a state  
3 program and some portions of the property are unused or  
4 underutilized.

5 (b) State agencies, when purchasing real property, shall review  
6 the Surplus Property Inventory and purchase, lease, or trade  
7 property on that list, if possible, prior to purchasing property not  
8 on the Surplus Property Inventory.

9 (c) The Department of General Services may sell, lease,  
10 exchange, or transfer for fair market value, ~~or upon terms and~~  
11 ~~conditions as the Director of General Services determines are in~~  
12 ~~the best interest of the state,~~ all or part of properties as follows:

13 Parcel 1. Approximately 292 acres with improvements  
14 thereon, known as the Agnews Developmental Center-West  
15 Campus, bounded by Lick Mill Blvd., Montague Expressway,  
16 Lafayette Street and Hope Drive, in Santa Clara, Santa Clara  
17 County.

18 Parcel 2. Approximately 56 acres known as a portion of the  
19 Agnews Developmental Center-East Campus, located between  
20 the Agnews Developmental Center and Coyote Creek, in San  
21 Jose, Santa Clara County.

22 Parcel 3. Approximately 102 acres with improvements  
23 thereon, known as the Stockton Developmental Center, located at  
24 510 E. Magnolia Street, in Stockton, San Joaquin County.

25 Parcel 4. Approximately 33.56 acres with improvements  
26 thereon, known as the California Highway Patrol Motor  
27 Transport Facility and Shop, located at 2800 Meadowview Road,  
28 in Sacramento, Sacramento County.

29 Parcel 5. Approximately 1.03 acres of land, not including  
30 improvements thereon, located at 1614 O Street, in Sacramento,  
31 Sacramento County, and leased by the Department of General  
32 Services to the Capital Area Development Authority for  
33 development of the 17th Street Commons condominiums.

34 Parcel 6. Approximately 2 acres of land, not including  
35 improvements thereon, located on a portion of block 273 bound  
36 by 10th, 11th, P, and Q Streets, in Sacramento, Sacramento  
37 County, and leased by the Department of General Services to the  
38 Capital Area Development Authority for development of the  
39 Somerset Parkside condominiums.

1 Parcel 7. Approximately 1.76 acres of land, not including  
2 improvements thereon, located on the south  $\frac{1}{2}$  of block bound by  
3 15th, 16th, O, and P Streets and the south  $\frac{1}{4}$  of block bound by  
4 14th, 15th, O, and P Streets, in Sacramento, Sacramento County,  
5 and leased by the Department of General Services to the Capital  
6 Area Development Authority for development of the Stanford  
7 Park condominiums.

8 Parcel 8. Approximately 1.18 acres of land, not including  
9 improvements thereon, located on the north  $\frac{1}{2}$  of block bound by  
10 9th, 10th, Q, and R Streets, in Sacramento, Sacramento County,  
11 and leased by the Department of General Services to the Capital  
12 Area Development Authority for development of the Saratoga  
13 Townhomes.

14 Parcel 9. Approximately 3.66 acres including improvements  
15 thereon, known as the Department of General Services, Junipero  
16 Serra State Office Building, located at 107 S. Broadway, in Los  
17 Angeles, Los Angeles County.

18 Parcel 10. Approximately 32 acres including improvements  
19 thereon, being a portion of the State Department of  
20 Developmental Services Fairview Developmental Center, located  
21 at 2501 Harbor Blvd., in Costa Mesa, Orange County.

22 Parcel 11. Approximately 3.6 acres, with improvements  
23 thereon. Entire structure used as the Delano Armory by the  
24 Military Department, located at 705 South Lexington Street, in  
25 Delano, Kern County.

26 Parcel 12. Approximately 1,400 acres of agricultural land,  
27 being a portion of the Department of Corrections and  
28 Rehabilitation's Imperial South Centinella Prison, located at  
29 2302 Brown Road, in Imperial, Imperial County.

30 (d) *Before completing any transfer, the Department of General*  
31 *Services shall identify (1) the funds that were used to purchase*  
32 *the property when the state acquired it and (2) the manner in*  
33 *which the proceeds are to be disbursed among the state's funds.*  
34 *The Department of General Services shall be reimbursed for any*  
35 *cost or expense incurred in the disposition of any parcels. The*  
36 *Department of Finance shall determine the proceeds that shall be*  
37 *allocated to the Deficit Recovery Bond Sinking Fund Subaccount.*  
38 *The Director of Finance shall notify the chairs of the legislative*  
39 *fiscal committees of its determination.*

(e) Notices of every public auction or bid opening shall be posted on the property to be sold pursuant to this section, and shall be published in a newspaper of general circulation published in the county in which the real property to be sold is situated.

~~(f) Any sale, exchange, lease, or transfer of a parcel described in this section is exempt from Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code.~~

~~(g)~~  
(f) As to any property sold pursuant to this section consisting of 15 acres or less, the Director of General Services shall except and reserve to the state all mineral deposits possessed by the state, as defined in Section 6407 of the Public Resources Code, below a depth of 500 feet, without surface rights of entry. As to property sold pursuant to this section consisting of more than 15 acres, the director shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, together with the right to prospect for, mine, and remove the deposits. The rights to prospect for, mine, and remove the deposits shall be limited to those areas of the property conveyed that the director, after consultation with the State Lands Commission, determines to be reasonably necessary for the removal of the deposits.

SEC. 2. Section 12 of Chapter 1087 of the Statutes of 1985 is amended to read:

SEC. 12. In carrying out the requirement of subdivision (b) of Section 1 of Chapter 1549 of the Statutes of 1982 to sell excess land at the Northern California Youth Center as surplus property, the land at the center that is excess to correctional needs and is to be sold as surplus property shall consist of approximately 280 acres of the land currently under the jurisdiction of the Department of the Youth Authority and lying south of Arch Road, east of Newcastle Road, and west of Austin Road in the County of San Joaquin. Notwithstanding Section 11011 of the Government Code or any other provision of law, the excess land shall not be sold or otherwise transferred to any state agency.

SEC. 3. ~~(a) Subject to making the report required in subdivision (b), the~~ The Director of General Services may sell, exchange, or lease for fair market value ~~or upon those terms and~~

~~conditions as the Director of General Services determines are in the best interest of the state;~~ all or any part of the following real property:

Parcel 1. Approximately .55 of an acre with improvements thereon, known as the Employment Development Department Office Building, located at 1400 S. Hill, Los Angeles, Los Angeles County.

Parcel 2. Approximately 2.0 acres with improvements thereon, known as the Healdsburg Armory, located at 900 Powell Avenue, Healdsburg, Sonoma County.

Parcel 3. Approximately 18 acres with improvements thereon, known as the Corporate Yard, located at West Capitol Avenue, West Sacramento, Yolo County.

Parcel 4. Approximately 2.7 acres with improvements thereon, known as the State Office Building Complex in San Diego, located at 1350 Front Street, the State Garage located at 345 West Ash, and the Transamerica Building, located at 1301 State Street, San Diego, San Diego County.

Parcel 5. Approximately .39 of an acre of unimproved property thereon, located north of Golden Gate Avenue at Gough and Franklin, San Francisco, San Francisco County.

Parcel 6. Approximately 41 acres of unimproved property at Avenal State Prison, located at 1 Kings Way, Avenal, Kings County.

Parcel 7. Approximately 150 acres of unimproved property at California Correctional Institution, Tehachapi, located at 24900 Highway 202, Tehachapi, Kern County.

Parcel 8. Approximately 15 acres of unimproved property at the California Institute for Women, located at 16756 Chino Corona Road, Frontera, San Bernardino County.

Parcel 9. Approximately 490 acres of unimproved property at the California Medical Facility, located at 1600 California Drive, Vacaville, Solano County.

Parcel 10. Approximately 368 acres of unimproved property at Chuckawalla Valley State Prison, located at 19025 Wiley Well Road, Blythe, Riverside County.

Parcel 11. Approximately 220 acres of unimproved property at Ironwood State Prison, located at 19005 Wiley Well Road, Blythe, Riverside County.

1 Parcel 12. Approximately 100 acres of unimproved property at  
2 Mule Creek State Prison, located at 4001 Highway 104, Ione,  
3 Amador County.

4 Parcel 13. Approximately 50 acres of unimproved property in  
5 the southern portion of North Kern State Prison, located at 2737  
6 West Cecil Avenue, Delano, Kern County.

7 Parcel 14. Approximately 130 acres of unimproved property,  
8 located in the southeast corner of the Salinas Valley State Prison,  
9 located at 31625 Highway 101, Soledad, Monterey County.

10 Parcel 15. Approximately 93 acres of unimproved property at  
11 the Miramonte Conservation Camp, located at 49039 Orchard  
12 Drive, Miramonte, Fresno County.

13 Parcel 16. Approximately 139 acres of unimproved property at  
14 the Alder Conservation Camp, located at 1400 Alder Camp  
15 Road, Klamath, Del Norte County.

16 Parcel 17. Approximately 140 acres of unimproved property at  
17 the Deadwood Conservation Camp, located at 17140 McAdams  
18 Creek Road, Fort Jones, Siskiyou County.

19 Parcel 18. Approximately 40 acres of unimproved property  
20 located north of the Fawn Lodge Forest Fire Station, located at  
21 Highway 299 at Fawn Lodge Road, Weaverville, Trinity County.

22 Parcel 19. Approximately 40 acres of property at the  
23 Shingletown Forest Fire Station, located off Highway 44 at  
24 Shingletown, Shasta County.

25 Parcel 20. Approximately 2.5 acres with improvements  
26 thereon, known as the San Diego Department of Motor Vehicles  
27 Field Office, located at 3960 Normal Street, San Diego, San  
28 Diego County.

29 Parcel 21. Approximately 3.14 acres with improvements  
30 thereon, known as the Red Bluff State Office Building, located at  
31 2440 Main Street, Red Bluff, Tehama County.

32 Parcel 22. Approximately .92 acres with improvements  
33 thereon, known as the Hesperia Forest Fire Station, located at  
34 16661 Yucca Street, Hesperia, San Bernardino County.

35 Parcel 23. Approximately .092 acres of unimproved property  
36 under the jurisdiction of the Department of Conservation, located  
37 at 806 North Beaudry Avenue, Los Angeles, Los Angeles  
38 County.

1 Parcel 24. Approximately 2 acres with improvements thereon,  
2 known as the Valley Center Forest Fire Station, located at 28741  
3 Cole Grade Road, Valley Center, San Diego County.

4 Parcel 25. Approximately 4.73 acres with improvements  
5 thereon, known as the Sonora Forest Fire Station, located at 2  
6 South Forest Road, Sonora, Tuolumne County.

7 Parcel 26. Approximately 2 acres with improvements thereon,  
8 known as the Manton Forest Fire Station, located at Ponderosa  
9 Way, Manton, Tehama County.

10 Parcel 27. Approximately 5.52 acres with improvements  
11 thereon, known as the Fernwood Seed Orchard on Bald  
12 Mountain Road, Korbel, Humboldt County.

13 ~~(b) Thirty days prior to completing a transaction authorized in~~  
14 ~~subdivision (a), if the Director of General Services disposed of~~  
15 ~~property in any way other than by selling, exchanging, or leasing~~  
16 ~~for fair market value, the director shall report to the chairs of the~~  
17 ~~legislative fiscal committees the following:~~

18 ~~(1) The financial terms of the transaction.~~

19 ~~(2) A comparison of fair market value for the property and the~~  
20 ~~terms listed in paragraph (1).~~

21 ~~(3) The basis for agreeing to terms and conditions other than~~  
22 ~~fair market value.~~

23 SEC. 4. Notwithstanding any other provision of law, the  
24 Director of General Services may sell, lease, convey, or  
25 exchange at fair market value to the City of Soledad ~~upon those~~  
26 ~~terms and conditions and subject to those reservations and~~  
27 ~~exceptions as the Director of General Services determines are in~~  
28 ~~the best interests of the state,~~ all or any part of the following real  
29 property:

30 Approximately 33.5 acres of the facility known as the  
31 California Department of Corrections and Rehabilitation  
32 Correctional Training Facility, Soledad, Monterey County  
33 Assessor Parcel Numbers 257-041-020 and 257-041-021.

34 ~~SEC. 5. (a) Subject to making the report required in~~  
35 ~~subdivision (b), the Director of General Services may sell or~~  
36 ~~exchange to the County of Napa, upon those terms and~~  
37 ~~conditions and subject to those reservations and exceptions the~~  
38 ~~Director of General Services determines are in the best interests~~  
39 ~~of the state, all or any part of the following real property, by~~



1 ~~January 1, 2008, after which date, if not sold or exchanged, the~~  
2 ~~property is no longer surplus:~~

3 ~~Approximately 850 acres of property, located at the Napa State~~  
4 ~~Hospital, 2100 Napa Vallejo Highway, Napa, Napa County.~~

5 ~~(b) Thirty days prior to completing a transaction authorized in~~  
6 ~~subdivision (a), if the Director of General Services has disposed~~  
7 ~~of the property in any way other than by selling, exchanging, or~~  
8 ~~easing for fair market value, the director shall report to the chairs~~  
9 ~~of the legislative fiscal committees the following:~~

10 ~~(1) The financial terms of the transaction.~~

11 ~~(2) A comparison of fair market value for the property and the~~  
12 ~~terms listed in paragraph (1).~~

13 ~~(3) The basis for agreeing to terms and conditions other than~~  
14 ~~fair market value.~~

15 *SEC. 5. (a) Except as provided in subdivisions (b) and (c),*  
16 *the Director of General Services may sell or exchange at current*  
17 *fair market value to the County of Napa, upon those terms and*  
18 *conditions and subject to those reservations and exceptions the*  
19 *director determines are in the best interest of the state, all or any*  
20 *part of the following real property, by January 1, 2009, after*  
21 *which date, if not sold or exchanged, the property is no longer*  
22 *surplus:*

23 *Approximately 850 acres of property, located at the Napa State*  
24 *Hospital, 2100 Napa Vallejo Highway, Napa, Napa County.*

25 *(b) Notwithstanding the terms and conditions negotiated*  
26 *pursuant to subdivision (a), in no event may the director sell or*  
27 *exchange the property identified in subdivision (a) at a value less*  
28 *than current fair market value.*

29 *(c) An agreement for the sale or exchange of the property*  
30 *identified in subdivision (a), pursuant to subdivision (a) and (b),*  
31 *shall require the County of Napa to retain title to the entire*  
32 *property sold or exchanged for use as a park and wilderness*  
33 *preserve upon a future sale or exchange of that property by the*  
34 *County of Napa.*

35 *SEC. 6. Section 10 of Chapter 974 of the Statutes of 2002 is*  
36 *amended to read:*

37 *Sec. 10. The Director of General Services, with the*  
38 *concurrence of the Adjutant General, may lease to the*  
39 *Sacramento-Archdiocese Diocese, a corporation sole, for a period*  
40 *not to exceed 11 years, approximately 1.4 acres of real property*

1 located at 1013 58th Street in the City of Sacramento, in the  
2 County of Sacramento, known as the 58th Street Armory, for  
3 purposes of constructing a parking lot, upon terms and conditions  
4 deemed to be in the best interest of the state.

5 SEC. 7. Notices of every public auction or bid opening shall  
6 be posted on the property to be sold under this act and shall be  
7 published in a newspaper of general circulation published in the  
8 county in which the real property to be sold is situated.

9 SEC. 8. *Before completing any transfer, the Department of*  
10 *General Services shall identify (1) the funds that were used to*  
11 *purchase the property when the state acquired it, and (2) the*  
12 *manner in which the proceeds are to be disbursed among the*  
13 *state's funds.* The Department of General Services shall be  
14 reimbursed for any cost or expense incurred in the disposition of  
15 any parcels described in this act from the proceeds of the  
16 disposition of those parcels. *The Department of Finance shall*  
17 *determine the proceeds that shall be allocated to the Deficit*  
18 *Recovery Bond Sinking Fund Subaccount. The Director of*  
19 *Finance shall notify the chairs of the legislative fiscal committees*  
20 *of its determination.*

21 SEC. 9. As to property described in Section 2 or 3 of this act  
22 sold pursuant to this act consisting of 15 acres or less, the  
23 Director of General Services shall except and reserve to the state  
24 all mineral deposits, as defined in Section 6407 of the Public  
25 Resources Code, below a depth of 500 feet, without surface  
26 rights of entry. As to property sold pursuant to this act consisting  
27 of more than 15 acres, the Director of General Services shall  
28 except and reserve to the state all mineral deposits, as defined in  
29 Section 6407 of the Public Resources Code, together with the  
30 right to prospect for, mine, and remove the deposits. The rights to  
31 prospect for, mine, and remove the deposits shall be limited to  
32 those areas of the property conveyed that the director, after  
33 consultation with the State Lands Commission, determines to be  
34 reasonably necessary for the removal of the deposits.

35 ~~SEC. 10. Any sale, lease, or transfer of a parcel described in~~  
36 ~~Sections 2, 3, 4, 5, or 6, is exempt Chapter 3 (commencing with~~  
37 ~~Section 21100) to Chapter 6 (commencing with Section 21165);~~  
38 ~~inclusive, of Division 13 of the Public Resources Code.~~

1     ~~SEC. 11.~~

2     ~~SEC. 10.~~ Unless otherwise provided by law, the net proceeds  
3 of any moneys received from the sale of any parcels described in  
4 Section 1, 2, or 3 of this act shall be paid into the Deficit  
5 Recovery Bond Retirement Sinking Fund Subaccount, as created  
6 by subdivision (f) of Section 20 of Article XVI of the California  
7 Constitution.

8     ~~SEC. 12.~~

9     ~~SEC. 11.~~ This act is an urgency statute necessary for the  
10 immediate preservation of the public peace, health, or safety  
11 within the meaning of Article IV of the Constitution and shall go  
12 into immediate effect. The facts constituting the necessity are:

13     In order that surplus property of the State of California can be  
14 sold at the earliest possible time in order to provide fiscal  
15 benefits to the citizens of California, it is necessary for this act to  
16 take effect immediately.